

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. David L. Hersh

Docket No. 5:13-CR-48-1D

Petition for Action on Supervised Release

COMES NOW Erica W. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, David L. Hersh, who, upon an earlier plea of guilty to 15 U.S.C. §§78j(b) and 78ff, Securities Fraud, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on June 4, 2014, to the custody of the Bureau of Prisons for a term of 12 months and 1 day. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

David L. Hersh was released from custody on May 29, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant expressed to the probation officer that he is having turmoil in his life relating to the dissolution of his marriage. He advised that he is having difficulty in dealing with the issues and feels he could benefit from mental health counseling. Therefore, the probation office would recommend modifying his conditions of supervision to include mental health treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/Michael C. Brittain

Michael C. Brittain

Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/Erica W. Foy

Erica W. Foy

U.S. Probation Officer

310 New Bern Ave., Room 610


Raleigh, NC 27601

Phone: 919-861-8665

Executed On: July 7, 2015

ORDER OF THE COURT

Considered and ordered this 6 day of August, 2015 and ordered filed and made a part of the records in the above case.



James C. Dever III

Chief U.S. District Judge